

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

TWELFTH LEGISLATIVE DAY
FRIDAY, JANUARY 23, 2015

Senate Chamber

President Little called the Senate to order at 10:30 a.m.

Roll call showed all members present except Senators Davis, Lodge, and McKenzie, absent and formally excused by the Chair; and Senators Bayer, Cameron, and Rice, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Miles Madden, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 22, 2015, was read and approved as corrected.

HAGEDORN, Vice-Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

January 23, 2015

The JUDICIARY AND RULES Committee reports that [S 1002](#), [S 1003](#), [S 1004](#), and [S 1005](#) have been correctly printed.

HAGEDORN, Vice-Chairman

[S 1002](#) and [S 1003](#) were referred to the Finance Committee.

[S 1004](#) and [S 1005](#) were referred to the Judiciary and Rules Committee.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

January 22, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have appointed Kimberly Johnson of Caldwell, Idaho, to be Acting State Senator for Legislative District 11, Canyon, State of Idaho.

This appointment is effective January 23, 2015, and will continue until such time as Senator Patti Anne Lodge is able to resume her duties.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO
CERTIFICATE OF APPOINTMENT

KNOW ALL MEN, by these Presents, that pursuant to the provisions of Section 59-917, *Idaho Code*, Patti Anne Lodge, State Senator, District 11, Canyon, State of Idaho, has nominated Kimberly Johnson of Caldwell, Idaho, to perform the duties of this office temporarily as Acting State Senator, District 11, Canyon.

NOW, THEREFORE, I, C.L. "Butch" Otter, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Kimberly Johnson to the office of State Senator, District 11, Canyon, State of Idaho, for a term commencing on January 23, 2015, and continuing until such time as Senator Lodge is able to resume her duties.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho.

Done at Boise, the Capital of Idaho, this Twenty-second day of January, in the year of our Lord two thousand and fifteen and of the Independence of the United States of America, the two hundred and thirty-ninth year.

/s/ BY THE GOVERNOR C.L. "BUTCH" OTTER
/s/ SECRETARY OF STATE LAWRENCE DENNEY

The correspondence and Certificate of Appointment were ordered filed in the office of the Secretary of the Senate.

The President announced that the Oath of Office had been administered previously to Acting Senator Johnson, and she was recorded present at this order of business.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

Senator Bayer was recorded present at this order of business.

S 1006 **BY COMMERCE AND HUMAN RESOURCES** **COMMITTEE** AN ACT

RELATING TO IDAHO REAL ESTATE LICENSE LAW; AMENDING SECTION 54-2002, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-2004, IDAHO CODE, TO REVISE DEFINITIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-2018, IDAHO CODE, TO REMOVE REFERENCES TO A CHALLENGE EXAM AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-2027, IDAHO CODE, TO REVISE REQUIREMENTS OF IDAHO CERTIFIED COURSE PROVIDERS RELATING TO COURSE COMPLETION LISTS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-2030, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE EXPIRATION OR WITHDRAWAL

OF PROVIDER CERTIFICATION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-2032, IDAHO CODE, TO REQUIRE PRIOR APPROVAL OR CERTIFICATION FOR INDIVIDUALS WISHING TO TEACH REAL ESTATE FOR CREDIT TOWARD POST LICENSE; AMENDING SECTION 54-2033, IDAHO CODE, TO PROVIDE INSTRUCTOR QUALIFICATIONS FOR INDIVIDUALS WISHING TO TEACH ANY REAL ESTATE COURSES FOR CREDIT TOWARD THE POST LICENSE; AMENDING SECTION 54-2036, IDAHO CODE, TO REVISE A PROVISION RELATING TO DISTANCE LEARNING COURSES, TO REMOVE PROVISIONS RELATING TO SUBSTITUTING CONTINUING EDUCATION COURSEWORK AND TO REMOVE PROVISIONS RELATING TO RETAKING A CHALLENGE EXAM; AMENDING SECTION 54-2039, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE BROKER AND BRANCH MANAGER ABSENCES AND CHANGES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-2051, IDAHO CODE, TO PROVIDE AN ADDITIONAL REQUIREMENT FOR WRITTEN OFFERS TO PURCHASE REAL PROPERTY OR ANY INTEREST THEREIN; AND AMENDING SECTION 54-2056, IDAHO CODE, TO REMOVE PROVISIONS RELATING TO TERMINATING RELATIONSHIPS BETWEEN A BROKER AND A SOLE PROPRIETORSHIP OWNED BY A PERSON OTHER THAN THE BROKER.

S 1007

**BY COMMERCE AND HUMAN RESOURCES
COMMITTEE**

AN ACT

RELATING TO IDAHO REAL ESTATE LICENSE LAW; AMENDING SECTION 54-2019, IDAHO CODE, TO PROVIDE AN ADDITIONAL BASIS UPON WHICH THE IDAHO REAL ESTATE COMMISSION MAY DENY ANY LICENSE APPLICATION AND TO MAKE A TECHNICAL CORRECTION.

S 1008

**BY COMMERCE AND HUMAN RESOURCES
COMMITTEE**

AN ACT

RELATING TO REAL ESTATE; AMENDING SECTION 54-2013, IDAHO CODE, TO REMOVE OBSOLETE LANGUAGE RELATING TO A FEE.

S 1009

**BY COMMERCE AND HUMAN RESOURCES
COMMITTEE**

AN ACT

RELATING TO IDAHO REAL ESTATE LICENSE LAW; AMENDING SECTION 54-2028, IDAHO CODE, TO REVISE THE TERM OF A COURSE PROVIDER'S CERTIFICATION AND TO PROVIDE AN EXPIRATION DATE; AND AMENDING SECTION 54-2035, IDAHO CODE, TO REVISE THE TERM OF AN INSTRUCTOR CERTIFICATION AND TO PROVIDE AN EXPIRATION DATE.

S 1010

**BY COMMERCE AND HUMAN RESOURCES
COMMITTEE**

AN ACT

RELATING TO IDAHO REAL ESTATE LICENSE LAW; AMENDING SECTION 54-2054, IDAHO CODE, TO REVISE PROVISIONS RELATING TO FEE-SPLITTING

WITH UNLICENSED PERSONS AND TO REVISE THE REQUIREMENT THAT ALL FEES MUST BE PAID THROUGH A BROKER.

S 1011

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO HORSE RACING; REPEALING SECTION 54-2512A, IDAHO CODE, RELATING TO PARI-MUTUEL BETTING ON HISTORICAL HORSE RACES, DISTRIBUTIONS OF DEPOSITS AND HISTORICAL HORSE RACE PURSE MONEYS FUND.

S 1006, S 1007, S 1008, S 1009, S 1010, and S 1011 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

Senator Cameron was recorded present at this order of business.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 10:40 a.m. until the hour of 11:30 a.m., Monday, January 26, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary